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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**
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6 UNITED STATES OF AMERICA,
7
8 Plaintiff,
9 v.
10 JUSTIN LEE TRIPP,
Defendant.

Case No.: 2:19-mj-00394-NJK

ORDER
(Docket Nos. 4, 40)

11 Pending before the Court is Defendant Justin Lee Tripp's motion to compel interstate
12 agreement on detainers, habeas corpus, dismissal, and/or relief for failure to prosecute timely.
13 Docket No. 4. In his motion, as reflected in the title, Defendant asks for numerous forms of relief,
14 in violation of LR IC 2-2(b) ("For each type of relief requested or purpose of the document, a
15 separate document must be filed and a separate event must be selected for that document").
16 Further, in reply, Defendant raises a potential spoliation issue for the first time. *See* Docket No.
17 36.

18 Also pending before the Court is the parties' stipulation to continue the preliminary hearing
19 in this matter and to allow the United States to file a sur-reply to Defendant's motion to address
20 his spoliation argument, raised in reply. *See* Docket No. 40.

21 The Court **DENIES** without prejudice Defendant's motion to compel interstate agreement
22 on detainers, habeas corpus, dismissal, and/or relief for failure to prosecute timely. Docket No. 4.
23 No later than February 24, 2020, Defendant may refile his motion through counsel. Counsel may
24 raise in the motion or motions any issues that she believes are properly raised, including the
25 spoliation issue. The motion or motions must comply with LR IC 2-2(b) and will be briefed
26 according to the Court's default schedule.

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1 The Court **GRANTS** in part the parties' stipulation. Docket No. 40. The preliminary
2 hearing in this matter is **CONTINUED** to March 17, 2020, at 4:00 p.m.

3 IT IS SO ORDERED.

4 DATED: February 10, 2020.

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8 NANCY J. KOPPE
9 UNITED STATES MAGISTRATE JUDGE
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